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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,990	10/17/2001	Bogju Lee	DE-1308	7077

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EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,990

Applicant(s)

LEE, BOGJU

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-6 have been examined

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-3, and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Rice et al., US Patent Number 6,411,947, hereinafter Rice.
4. Referring to claim 1, Rice has taught a method for forwarding an e-mail with an unspecified recipient, which is received via a mail server, to a best qualified recipient, comprising steps of:

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- a. building learning models corresponding to recipients from emails stored in the mail server by using a machine learning algorithm (Col 4 lines 36-47, AI and Figure 1); and
 - b. classifying, when a new e-mail is received, a learning model corresponding to a best qualified recipient and delivering the new e-mail to the best qualified recipient (Col 9 lines 18-23.)
5. Referring to claim 2, Rice has further taught wherein the step of building learning models includes steps of:
 - a. dividing the e-mails stored in the mail server according to the recipients of the e-mails (Col 4 lines 19-28);
 - b. indexing words included in the e-mails corresponding to recipients from the indexed words by using the machine learning algorithm (Col 4 lines 36-47); and
 - c. building learning models corresponding to recipient from the indexed words by using the machine learning algorithm (Col 4 lines 36-47, AI.)
6. Referring to claim 3, Rice has further taught wherein the step of classifying a learning model corresponding to the best qualified recipient includes steps of:
 - a. tracing the learning models built for the respective recipients by using the words indexed from the new e-mails (Figure 2 A, step 108);
 - b. detecting a learning model corresponding to a best qualified recipient (step 112 figure 2A);
 - c. delivering the new e-mail to the best qualified recipient (step 114, figure 2B).

7. Referring to claim 6, claim 6 encompasses the same scope of the invention as that of the claim 1. Therefore, claim 6 is rejected for the same reason as the claim 1.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rice in view of Lewis, US Patent Number 5,666,481, hereinafter Lewis.
10. Referring to claim 4, Rice has taught an invention as described in claims 1-3, Rice has taught wherein the machine learning algorithm is performed by artificial intelligence application (Col 4 lines 19-47), Rice does not explicitly specify the AI application is using a decision tree algorithm of ID3.

However, Lewis has taught the ID3 algorithm is an artificial intelligence approach (Col 8 lines 12-33).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have the ID3 algorithm to be Rice's artificial intelligence application, because Lewis has taught ID3 algorithm is an artificial intelligence approach and Rice needs a AI application to make interpretation of received message in his system.

A person with ordinary skill in the art would have been motivated to make the modification to Rice because ID3 provides decision tree structure containing determinator to help Rice's interpretation step as taught by Lewis (Col 8 lines 12-33).

11. Referring to claim 5, Rice as modified has further taught wherein the learning models are decision trees generated by the decision algorithm (Lewis, Col 8 lines 12-33, see rejection to claim 4.)

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
December 14, 2004


BHARAT BAROT
PRIMARY EXAMINER